

NEW HAMPSHIRE STATE BUILDING CODE REVIEW BOARD

Minutes of Meeting

September 9, 2005

Attendance:

Tyler Carlisle, Board of Engineers, licensed electrical engineer
Jerry Tepe, Board of Architects, licensed architect, acting Chair
John Tuttle, NH Home Builders Association, Architectural designer – residential
Tedd Evans, Board for Licensing and Regulation of Plumbers, licensed master plumber
Thomas S Lambert, Chief, NH Association of Fire Chiefs, Municipal Fire
Michael Santa, CBO, Governor's Commission on Disability, Architectural barrier/free design
Joel Fisher, Board of Engineers, licensed structural engineer
Mark Weissflog, NH Electrical Contractors Business Assoc., licensed master electrician
James Petersen, PE, Board of Engineers, licensed mechanical engineer
Wayne A. Richardson, NH Building Officials Association, municipal building official
Wes Golomb, Public Utilities Commission, State energy conservation code office
Med Kopczynski, NH Municipal Association

Excused:

Robert Clegg, Chairman, Department of Safety
Rick Swain, NH Plumbing & Mechanical Contractors Assoc., mechanical contractor, business

Absent:

Mark Tibbetts, NH Association of Fire Chiefs, municipal volunteer fire chief
George Maihos, NH Electricians Board, licenses master electrician
Fred Baybutt, Associated General Contractors, building contractor – non-residential bldgs.

Guests:

Marta Modigliani, Attorney, Department of Safety, Office of the Commissioner
Cheryl Killiam, Governor's Commission on Disability,

Acting Chair Jerry Tepe declared a quorum and called the meeting to order.

GENERAL MEETING:

Adoption of meeting minutes from June 10, 2005:

Motion to adopt meeting minutes from June 10, 2005 made by Mark Weissflog. **Motion** was **Seconded** by Tyler Carlisle. There being no discussion – Chair asked for a vote – vote was **Unanimous** and so declared by the Chair.

OLD BUSINESS:

Smart Codes

Mike Santa reported that the Committee attempted to meet this morning – but they have identified a couple of the main issues that need to be resolved and are moving forward on trying to connect with Fire Marshal Degnan. The 2006 Edition of the existing Building Code

(the changes) will be voted on at the conference later on this month. The 2006 Edition will then be published. The Committee will try and meet before next months meeting.

Fire Code Amendments status:

Marta reported to the Board that the Fiscal Impact statement has been filed. Does not think there will be any trouble with getting the amendments passed on the stair configurations.

Building Code Amendments:

Now that the Rules have been Codified – what does the Board want to do. Once they have been Codified, there is no reason to have the Rule. For ease of reference – both will be kept on the web-site, with a link to the statute once it becomes law.

Wayne Richardson suggested that any amendments be kept separate in their own category and do the modifications need to be changed to when a new Code is adopted. Marta said that they are.

State Building Code Web-Site:

Marta will contact Margaret regarding the new web-site on where it stands. Wes Golomb said the web-site has to be user friendly. The amendments that have now been Codified need to be kept in archive format.

Townhouse exemptions IBC and IRC:

Med said that townhouse could be misconstrued to be very large houses. Chair Tepe suggested verbiage of:

“a single family dwelling unit, constructed in a group of three (3) or more attached units, with property lines separating each unit, in which each unit extends from the foundation to roof, and with an open space on at least 2-sides.”

at the last meeting. The International codes view townhouses as a ‘string’ of single family dwellings. They have taken out the lot line portion. To correct it would be to use the above verbiage by putting back in the property line (lot line).

NEW BUSINESS

Dunbarton Elementary School:

Mike Santa said that on occasion they (the Architectural Barrier-Free Design Committee) get requests for waivers to the accessibility code. The Committee wants to make sure that they are proceeding according to what this Board wants. Mike introduced Cheryl Killam, the Accessibility Specialist for the State.

Cheryl Killam handed out a small packet of information to the Board members, with is the waiver request and photograph. Basically, in this case, there was a lift in the school already and it needed repair/replacement. The vendor did not do the measure twice/cut once. The vendor just brought in a platform and put it down. There was no way you could get on it.

Because the school can not move any of the walls, the Committee did grant the waiver to the school for the smaller platform.

Mike Santa asked how does the Board want to be notified – will a copy of the waiver suffice, or will a presentation (like this one) be the better approach. John Tuttle asked if a town official waived a town code – does it come before this Board. Chair Tepe said his understanding is no. John asked if the State Fire Marshal waives a code – does it come before this Board. Chair Tepe said no, other than if the decision is appealed. Explained that the reason this was brought before this Board, was a courtesy. For individual waiver requests it is not necessary to bring them before the Board. He appreciates being kept in the loop, however if something comes up that is systemic problem with the Code that is constantly coming up – then it should be brought before the Board so it can be reviewed for a possible amendment.

James Petersen asked if there were any systemic problems in the code. Cheryl reported the one she keeps hearing is that people want to see door openers installed. The Code does not require it. Chair Tepe said that the door opener issue has had a lot of discussion at the national level and it boils down to they do not want to mandate the cost – it is expensive. James asked if their Code deals with people with vision impairment and if that is addressed well. Cheryl reported that it is addressed adequately, and for the most part it's covered, but people are forgetting about the strobe alarms in rest rooms.

The Chair pointed out that there is a new American with Disabilities Act Standards that has been passed by the Access Board. DOJ has not acted on it 'officially' yet – they are in the review process. The US Postal Service has adopted the new Standards. The Chair also pointed out to the Board that if we elect to go to the 2006 Code Editions when they are available next year – the accessibility provisions in there have been greatly updated.

Mark Weissflog asked Cheryl if the original lift, when it was installed, complied with the Code for the day. Cheryl said no – they replaced it once and obtained a waiver for that.

Legislation in the Works:

Senator Clegg will be introducing a Bill this session to adopt the IRC into the State Building Code. Chair asked what position this Board wants to take with this, if any. John Tuttle said the legislation is a 3-part bill; that has minimum contract language between builders and clients; it's a statewide residential code and it has contractor licensing. Some kinks are being ironed out. Med asked if it was going to be presented as three bills or as one. John said that he thinks, right now it is one. Med asked if this Board itself could sponsor a bill. Wayne Richardson suggested that they get in touch with Ken Hopkins, because its an almost guarantee that if you tie this to licensing and contract language it will go down the tubes. Tedd Evans said his experience is that the plumbers tried to get water treatment licensing in and it came back as voluntary certification. The fire alarm installers and fire suppression system installers wanted to be licensed and it came back as voluntary certification, and the heating installation people tried to get licensing and it too came back as voluntary certification. His experience is they are vehemently opposed to licensing.

John Tuttle said what he would like to do is ask Kendall Buck to attend next months meeting to see the latest update – to clarify a lot of questions Board members may have. James Peterson asked if the IRC was adopted, would it come under this Board's purview. Chair Tepe said that it was his understanding but it would depend on how the legislation is written.

When the State Building Code was originally set up, the IRC was included, however it was quickly dropped out of the proposed legislation. Med said that we need to disassociate this Board from any representation from property maintenance standards. Wayne Richardson said that Senator Clegg stressed that unity and a show of support to the legislation is the most important part.

OTHER BUSINESS:

None.

ADJOURNMENT:

Wes Golomb made the **Motion** to adjourn. Med Kopczynski **Seconded** the motion. Vote was **Unanimous** and so declared by the Chair.

Future Meeting Dates: October 14, November 4, December 9 and January 13